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JAN 03 2012

UNITED STATES DISTRICT COURT

TONY R. WARE, CLERK

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

SAMMY NDEMBA JACKSON-

: **DOCKET NO. 11-CV-1380**

NTONE

SECTION "P"

VS.

JUDGE MINALDI

ERIC HOLDER, ET AL

: MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that respondent's Motion to Dismiss be GRANTED.

IT IS FURTHER ORDERED that the petition for writ of habeas corpus be DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED, in Chambers, at Lake Charles, Louisiana, this _____ day

of Jan 2012

PATRICIA MINALDI

UNITED STATES DISTRICT JUDGE